

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DIANE HARRIS

Plaintiff,

v.

HAZEL STRAUSS, JUDGE

Defendant.

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CIVIL ACTION
NO. 02-4567

ORDER

And now this _____ day of July 2002, it is hereby ORDERED that leave to proceed *in forma pauperis* is GRANTED and the complaint is to be filed. However, it is further ORDERED that this action is DISMISSED as legally frivolous and for failure to present a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), (ii), and because defendant has absolute judicial immunity.¹

William H. Yohn, Jr., Judge

¹ Plaintiff's complaint appears to challenge the adverse decision rendered in her claim for social security benefits. She states that in taking two years to resolve this claim, the "system has really failed." However, plaintiff has not articulated an actionable claim against defendant. Moreover, there is absolute judicial immunity for comments made by an administrative law judge during administrative proceedings. Thus, I will dismiss her complaint *sua sponte* pursuant to 28 U.S.C. § 1915 (e)(2)(B)(i), (ii). I note that plaintiff has a right to appeal an adverse social security decision pursuant to 42 U.S.C. § 405(g).